

IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

JOSEPH FARLEY, )  
Plaintiff, )  
v. ) Case No. 2:24-cv-719-RAH  
DERRICK CUNNINGHAM, et al., ) (WO)  
Defendants. )

**ORDER**

On November 7, 2024, Plaintiff Joseph Farley filed a complaint against Sheriff Derrick Cunningham, Nurses Baker and Watson, Colonel Prichard, Major Foster, and Captain Dill, wherein he requests immediate injunctive relief for his alleged medical conditions. (Doc. 1 at 4.) To the extent the Complaint may be construed as including a motion for temporary restraining order, the Motion is due to be denied.

Under Rule 65 of the Federal Rules of Civil Procedure, a temporary restraining order may issue without notice to the nonmoving party only if (a) specific facts in an affidavit or verified complaint show that the moving party will suffer immediate and irreparable injury before the adverse party can be heard, and (b) the moving party certifies in writing the efforts he has made to notify the nonmoving party and the reasons notice should not be required. Fed. R. Civ. P. 65(b)(1). The Motion fails scrutiny under Rule 65(b)(1)(B) because Plaintiff has not submitted the required certification.

Accordingly, it is

ORDERED that the Motion for a Temporary Restraining Order (Doc. 1) is DENIED.

This case is referred back to the Magistrate Judge for further proceedings.

DONE, on this the 8th day of November 2024.



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R. AUSTIN HUFAKER, JR.  
UNITED STATES DISTRICT JUDGE